

PATENTApplication Serial No. 10/786,831
Attorney Docket No. 02-100A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FAX RECEIVED

CUSTOMER NO. 22927

MAR 13 2007

Applicants: Tedesco *et al.*
Application No.: 10/786,831
Filed: February 25, 2004
Title: SYSTEM FOR IMAGE ANALYSIS IN A NETWORK THAT IS
STRUCTURED WITH MULTIPLE LAYERS AND
DIFFERENTIALLY WEIGHTED NEURONS

OFFICE OF PETITIONS

Attorney Docket No.: 02-100A

Group Art Unit: 2624
Examiner: Gregory M. Desire

PETITION
UNDER 37 C.F.R. §1.313
FOR WITHDRAWAL FROM ISSUE
WITH
MEMORANDA TO SUPPORT THE PETITION

MS Petition
c/o Ms. Sherry Brinkley
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Ms. Brinkley:

Applicants hereby Petition under 37 C.F.R. §1.313 for withdrawal of the present Application from issue (upon granting of the pending Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally mailed on January 24, 2007 and attendant payment of the Issue Fee, as previously authorized). Applicants respectfully request that this Petition be considered contemporaneously with and/or immediately following consideration and/or granting of the pending Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally mailed on January 24, 2007.

03/14/2007 CKHLOK 00000014 500271 10786831

03/14/2007 130.00 DA

02-100A_PET_03-13-07.doc

PATENTApplication Serial No. 10/786,831
Attorney Docket No. 02-100A**MEMORANDA IN SUPPORT OF PETITION**

Applicants hereby respectfully request and petition that, upon consideration and granting of the Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally mailed on January 24, 2007, and attendant payment of the Issue Fee as authorized and requested therein, and pursuant to 37 C.F.R. §1.313, the present Application be withdrawn from issuance.

This Petition is submitted pursuant to 37 C.F.R. §1.313(c)(2), whereby the request to withdrawal the present Application from issuance is made to allow consideration of a Request for Continued Examination (RCE), which is submitted herewith.

In accordance with this Petition, Applicants hereby authorize the appropriate petition fee of \$130.00 as set forth in 37 C.F.R. §1.17(h) to be charged to Deposit Account No. 50-0271. If any other and/or additional fees are required, or if any overpayment of fees occurs, please charge and/or credit any such appropriate amounts to Applicants' Deposit Account No. 50-0271.

If there remain any questions regarding the present application or this Petition, please contact Applicants' representative, Carson C.K. Fincham, at telephone number 203-461-7017 or via electronic mail at cfincham@walkerdigital.com, at your convenience.

Respectfully submitted,

March 13, 2007
Date

/Carson C.K. Fincham, Reg.#54096/
Carson C.K. Fincham
Attorney for Applicants
Registration No. 54,096
Walker Digital, LLC
cfincham@walkerdigital.com
203-461-7017 /voice.
203-461-7300 /fax

WALKER DIGITAL
TWO HIGH RIDGE PARK
STAMFORD, CT 06905
(203) 461-7000

FACSIMILE TRANSMITTAL SHEET

FAX RECEIVED

TO: PETITIONS
C/o Ms. Sherry Brinkley

FROM: CARSON C.K. FINCHAM

MAR 13 2007

COMPANY: USPTO

DATE: 03.13.07

OFFICE OF PETITIONS

FAX NUMBER: (571) 273-0025

TOTAL NO. OF PAGES INCLUDING
COVER: 46

PHONE NUMBER: (571) 272-3204

SENDER'S FAX # 1-203-461-7300

RE: 10/786,831
37 C.F.R. §1.313 Petition w/RCE

SENDER'S PHONE # 1-203-461-7017

Dear Ms. Brinkley,


Pursuant to our telephone conversation yesterday, please accept my gratitude for your time, and please find attached (i) a 37 C.F.R. §1.313 Petition for your simultaneous and/or consecutive consideration with the pending Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally mailed on January 24, 2007, (ii) an RCE transmittal document, (iii) an RCE Amendment Submission, and (iv) an RCE IDS Submission with (v) an attendant Form PTO-1449 and (vi) a copy of the cited reference. All appropriate fees are provided and/or authorized by the various documents submit herewith.

Just to reiterate the flow of events and desired results:

- (1) a Notice of Allowance was mailed in this case on October 16, 2006,
 - (2) the Notice of Allowance was returned to the PTO as undeliverable, apparently due to a problem associated with Applicants' Post Office Box, accordingly,
 - (3) Applicants were unaware of the outstanding Notice of Allowance and failed to pay the Issue Fee by the required January 16, 2007 deadline, resulting in Abandonment of the Application,
 - (4) Applicants submitted the pending Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally on January 24, 2007, along with authorization to pay the Issue Fee upon revival of the Application,
 - (5) Applicants now wish to make some minor amendments to the Application and bring some material to the Examiner's attention and accordingly submit herewith
- (5.1) a Petition under 37 C.F.R. §1.313 to withdrawal the Application from Issue (upon granting of the outstanding Petition Under 37 C.F.R. §1.137(B) for Revival of an Application for Patent Abandoned Unintentionally and upon attendant payment of the Issue Fee), and
- (5.2) an RCE and attendant submissions for entry and consideration with respect to the Application (upon revival, issuance, and withdrawal from issuance of the Application).

Please contact me if you have any questions or require any clarification of these events/issues. Thank you.

Sincerely,


Carson C.K. Fincham
Attorney for Applicants
Registration No. 54,096
Walker Digital, LLC
cfincham@walkerdigital.com
203-461-7017 /voice
203-461-7300 /fax

-This transmission, and any attached files, may contain information from Walker Digital that is confidential and/or legally privileged. Such information is intended only for the use of the individual or entity to whom this transmission is addressed. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited, that copies of this transmission and any attached files should be deleted from your disk directories immediately, and that any printed copies of this transmission or attached files should be returned to this firm. If you have received this transmission in error, please notify us by telephone or e-mail immediately, and we will arrange for the return to Walker Digital of any printed copies at no cost to you.-